

REMARKS

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Upon entry of this amendment, claims 1-25 will be pending. By this amendment claims 1-3, 5-6, 8-10, and 12-13 have been amended, and claims 15-25 have been added. No new matter has been added.

Objection to the Drawings

In Section 1 of the Office Action, the Examiner has objected to the drawings for failing to designate Figure 1 as Prior Art. Figure 1 has been corrected, thereby obviating the objection. Accordingly, it is respectfully requested that this objection be withdrawn.

§102 Rejection of Claims 1-6 and 8-13

In Section 3 of the Office Action, the Examiner has rejected claims 1-6 and 8-13 under 35 U.S.C. §102(e) as being anticipated by Kim (U.S. Patent No. 6,438,951). This rejection is respectfully traversed below.

In the Background section of Kim, it is indicated, "when an image screen and a caption are displayed at the same time, the caption partially covers the image, and thus the hidden image cannot be seen. ... As a result, a part of the TV image screen cannot be seen." *Kim, column 1, lines 15-28.*

To address the above-described shortcomings of the conventional caption display device, Kim suggests providing "a caption display device for a digital TV enabling the users to adjust density of a caption window displayed on a screen for the digital TV." *Kim, column 1, lines 36-*

38. This is accomplished by providing a digital TV including "video decoder unit 101 for decoding an inputted MPEG II transport stream, and separately outputting a user data for caption and an MPEG II video data; ... a video combining unit 106 for combining and outputting the MPEG II video data separated in the video decoder unit 101 ...; a video processing unit 107 for processing and outputting a color blending according to the signal outputted from the video combining unit 106; ..." *Kim, column 2, line 58 to column 3, line 12 (emphasis added).*

Thus, Kim specifically teaches separating the image from the caption, recombining the image and the caption into a combined video signal, and processing the combined video signal to color blend the caption into the image to enable "the users to adjust density of a caption window displayed on a screen".

However, the steps of the image processing method of claim 1, as presented herein, are designed to overcome different shortcomings of a conventional television receiver outputting multi-format data broadcast image. Specifically, the steps of the image processing method of claim 1, as presented herein, are designed to overcome difficulties encountered by the conventional multi-format data broadcast image. That is, "when the still image 44 and the characters 45 are displayed together with the moving image 43 in the above-mentioned conventional multi-format data broadcast image 42 on a single screen, areas of the still image 44, the characters 45, and the moving image 43 cannot be distinguished from each other because the still image 44, the characters 45, and the moving image 43 are mixed with each other to form a single image. Therefore, the still image 44, the characters 45, and the moving image 43 cannot be processed independently of each other for higher image quality. This results in a disadvantage in that although the HD image 41 can be displayed with high quality, the still

image 44 and the characters 45 are lowered in image quality." *Background of the Specification, page 1, line 23 to page 2, line 12.*

The steps of the image processing method of claim 1, as presented herein, include separating data in a plurality of formats from a broadcast video signal, generating a plurality of layer image signals, adaptively processing each layer image signal according to preset parameters. Therefore, in claim 1, unlike in Kim, each layer image signal is adaptively processed according to optimal settings for that particular format before superimposing the processed layer signals. Kim, however, combines the image and the caption, and processes the combined signal for optimal background color for the caption. Thus, Kim fails to teach or suggest separating data in a plurality of formats from a broadcast video signal, generating a plurality of layer image signals, adaptively processing each layer image signal according to preset parameters.

Accordingly, it is submitted that Kim fails to teach or suggest the method disclosed in claim 1. Since claims 2-6 depend from claim 1, and thus include all the limitations of claim 1, claims 2-6 should be allowable. Since claim 8 is an apparatus claim that parallels method claim 1, claim 8 should be allowable. Since claims 9-13 depend from claim 8, and thus include all the limitations of claim 8, claims 9-13 should also be allowable.

Based on the foregoing discussion, it is submitted that claims 1-6 and 8-13 are not anticipated by the teachings of Kim. Accordingly, it is submitted that the Examiner's rejection of claims 1-6 and 8-13 based upon 35 U.S.C. §102(b) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

§103 Rejection of Claims 7 and 14

In Section 5 of the Office Action, the Examiner has rejected claims 7 and 14 under 35 U.S.C. §103(a) as being unpatentable over Kim (U.S. Patent No. 6,438,951).

Based on the foregoing discussion regarding claims 1 and 8, it is submitted that Kim fails to teach or suggest the method and apparatus disclosed in claims 1 and 8. Since claims 7 and 14 depend from claims 1 and 8, respectively, it is submitted that claims 7 and 14 are not rendered obvious by the teachings of Kim. Accordingly, it is submitted that the Examiner's rejection of claims 7 and 14 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

Newly-added Claims 15-25

Newly-added claims 15-24 depend from claim 1, and claim 25 depend from claim 8. Therefore, claims 15-25 should be allowable over Kim.

Conclusion

In view of the foregoing, entry of this amendment, and the allowance of this application with claims 1-25, is respectfully solicited.

In regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as originally presented, are patentably distinct over the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes that have been made to these claims were not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes

PATENT
Serial No. 09/919,264
Attorney Docket No. 450100-03363

were made simply for clarification and to round out the scope of protection to which Applicant is entitled.

In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicant's representative at the telephone number written below.

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,

FROMMER-LAWRENCE & HAUG LLP

By:


Samuel S. Lee, Reg. No. 42,791

William S. Frommer
Reg. No. 25,506
(212) 588-0800

Attachments



FIG. 1
(PRIOR ART)

legend added

